

FISCAL NOTE

SB 2045 - HB 2913

March 9, 1998

SUMMARY OF BILL: Establishes civil commitment procedures for long-term commitment and treatment of persons found to be sexually violent predators. Provides for comprehensive mental evaluations, hearings/trials, expert witnesses, and counsel for persons being considered for commitment. Care and treatment will be provided through the Department of Mental Health and Mental Retardation in a secure facility. Annual re-evaluations and hearings will be conducted to determine if committed persons should be released.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$2,885,500/Recurring
\$348,500/Non-Recurring
\$576,600/Indigent Defense Fund

Dept. of Mental Health and Mental Retardation
\$1,281,000¹ - Pre-release evaluation and re-evaluation
\$1,168,000² - Custody and treatment

Office of Attorney General
\$436,500 Recurring - Personnel & operations
\$48,500 Non-Recurring

Indigent Defense Fund
\$513,900³- Independent Evaluations & Expert Witnesses
\$62,700³ - Attorney fees

\$300,000⁴- Capital improvements for program space in MH&MR

¹ Re-evaluation numbers are estimated to continue to grow each year until the population stabilizes in the 10th year.

² Cost of custody and treatment is estimated to increase to approximately \$10,000,000 by the 10th year at which point the population is estimated to stabilize.

³ Re-evaluations, attorney fees, and expert witness fees are estimated to continue to grow each year until the population stabilizes in the 10th year.

⁴ Capital cost - renovation of existing Department of Mental Health and Mental Retardation facility.

Estimate assumes:

- Three hundred and sixty-six sexual offenders, to be released annually, will have a comprehensive evaluation of mental condition at a cost of \$3500 each and findings will be referred to the office of the Attorney General.
- Based upon findings and patterns of previous convictions, petitions for a probable cause hearing for 90 sexual offenders will be filed.
- After a probable cause hearing, 45 sexual offenders will have commitment trials.
- Sixteen sexual offenders will be found, beyond a reasonable doubt, to be sexually violent persons and should be committed for treatment in a secure facility.
- After a period of years of treatment in a secure facility, most sexual offenders will be released.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director